

REMARKS/ARGUMENTS

Claims 36-44 are pending in the application. Claims 37 is amended. No new matter has been added. Reconsideration of the claims is respectfully requested.

Double patenting

Claims 36 and 41-44 are finally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over both claim 7 of U.S. Patent No. 6,352,286 and claim 18 of U.S. Patent No. 5,906,397, both of which are issued to MacWilliams et al.

Allowable subject matter

Claims 37-40 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 37 is amended to be written in independent form, including all the limitations of base claim 36. Claims 38-40, which depend from claim 37, are left unamended. No new matter is added.

Conclusions

In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. Applicant respectfully requests favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,
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